UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/46/835
S/23371
6 January 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 20
ADMISSION OF NEW MEMBERS TO
THE UNITED NATIONS

SECURITY COUNCIL
Forty-seventh year

Letter dated 3 January 1992 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the text of a press release issued by the Government of the Republic of Singapore on 2 January 1992 recognizing the independence and sovereignty of the former Soviet republics.

I should be grateful if you would arrange to have the text of the present letter and the attached press release circulated as a document of the General Assembly, under agenda item 20, and of the Security Council.

(Signed) CHEW Tai Soo

ANNEX

Press release issued on 2 January 1992 by the Government of Singapore

The Government of Singapore recognizes the independence and sovereignty of Russia, Belarus, Ukraine, Georgia, Armenia, Azerbaijan, Moldova, Turkmeniya, Uzbekistan, Kazakhstan, Tajikistan and Kirghiziya, and is ready to establish diplomatic relations with them.

Singapore welcomes the entry of these republics into the community of nations and their membership of the Commonwealth of Independent States.

Singapore's Ambassador in Moscow will be accredited to the Russian Federation in the first instance.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23372
6 January 1992

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling the obligations of Member States under the United Nations Charter,

Recalling its resolutions 607 (1988), 608 (1988), 636 (1989), 641 (1989), and 694 (1991),

Having been apprised of the decision of Israel, the occupying Power, to deport twelve Palestinian civilians from the occupied Palestinian territories,

1. Strongly condemns the decision of Israel, the occupying Power, to resume deportations of Palestinian civilians;

2. Reaffirms the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem;

3. Requests Israel, the occupying Power, to refrain from deporting any Palestinian civilian from the occupied territories;

4. Also requests Israel, the occupying Power, to ensure the safe and immediate return to the occupied territories of all those deported;

5. Decides to keep the matter under review.

92-00610 3562a (E)

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23373
6 January 1992

ORIGINAL: ENGLISH

LETTER DATED 6 JANUARY 1992 FROM THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to request that, in accordance with its previous practice, the Security Council invite Dr. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the current debate of the Security Council on the item entitled "The situation in the occupied Arab territories".

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

92-00655 2856f (E)

UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/46/837
S/23374
6 January 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 33
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-seventh year

Letter dated 6 January 1992 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to condemn the decision by Israel, the occupying Power, to continue its deportations of Palestinians from the occupied Palestinian territory.

According to The New York Times of 3 January 1992, the Israeli Defence Minister has ordered the deportation of 12 residents of the occupied Palestinian territory suspected of directing and taking part in violent acts against Israel. They were identified as Raáfat al Najar, Ahmad Abu Seif, Iyhab Al Ashkar, Sami Abu Samhadan, Khader Atich Khader, Ahmad Hamdan and Marwan Afanah - from the Gaza Strip - and Omar Safi, Ghassan Jarrar, Hassan Shaaban, Ali Al-Khatib and Iyad Judeh from the West Bank. The deportations were ordered following pressure on the Government by Jewish settlers after ambush attacks on four of their number in the last 10 weeks. The 12 men have not been accused of involvement in any of the attacks.

The New York Times also reported that, since the beginning of the intifadah, Israel has deported at least 66 Palestinians, not including the 12 men mentioned above, in violation of Article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and several resolutions of the Security Council.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People is gravely concerned at the increasing imposition of harsh collective punishment against the population of the occupied Palestinian territory, such as curfews, school closings, administrative detention, and other repressive measures contrary to Israel's obligations as the occupying

Power. The Committee is also greatly concerned at recent statements by Israeli officials indicating an intention to increase the number and size of Israeli settlements in the occupied Palestinian territory, including East Jerusalem, which represents a serious obstruction to the establishment of a comprehensive, just and lasting peace in the Middle East.

The Committee therefore addresses an urgent appeal to you, as well as all the parties concerned, to see that all the necessary measures are taken in order to induce Israel, the occupying Power, to desist forthwith from deporting the 12 men and to ensure the safe and immediate return to the occupied Palestinian territories of those deported.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) Ricardo ALARCON DE QUESADA
Acting Chairman of the
Committee on the Exercise
of the Inalienable Rights
of the Palestinian People

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23375
6 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 30 DECEMBER 1991 FROM THE PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Norway to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to his note SCPC/8/91 of 16 December 1991, has the honour to communicate to the Secretary-General those measures undertaken by the Government of Norway to implement Security Council resolution 713 (1991) of 25 September 1991.

Pursuant to Act No. 4 of 7 June 1968 relating to the Implementation of Binding Resolutions by the United Nations Security Council, the Government adopted on 4 October 1991 regulations for the implementation of resolution 713 (1991). Paragraph 1 of the regulations states, in accordance with operative paragraph 6 of the resolution, that it is prohibited to deliver weapons or military equipment of any kind to Yugoslavia. This prohibition applies with no personal or territorial limitations other than those laid out in paragraphs 12 and 14 of the Norwegian Penal Act of 22 May 1902. According to paragraph 2 of the regulations, the latter entered into force immediately.

92-00667 2872h (E)

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23376
6 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 31 DECEMBER 1991 FROM THE PERMANENT MISSION OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of India to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to latter's Note No. SCPC/8/91(1) dated 16 December 1991, has the honour to state that all the authorities concerned in India have been instructed to ensure, in accordance with paragraph 6 of Security Council resolution 713 (1991), that no weapons or military equipment supplies to Yugoslavia should be effected.

92-00673 2964d (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23377
7 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 6 JANUARY 1992 FROM THE PERMANENT MISSION OF FINLAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Finland to the United Nations has the honour to inform the Secretary-General, with reference to his note of 16 December 1991 and Security Council resolution 724 (1991), in pursuance of which all States are requested to report to him on the measures they have instituted for meeting the obligations set out in paragraph 6 of resolution 713 (1991) to implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia, that the Government of Finland has taken measures to meet the obligations of paragraph 6 of resolution 713 (1991), and submits the following information in that regard.

Export of arms and military equipment is restricted and controlled by the following legislative acts in force:

- Act of 9 March 1990 on Export and Transit of Defence Materials (242/90). Export or transit through Finland of defence materials is forbidden unless an export licence has been issued by the State Council as a general rule or in some specific cases by the Ministry of Defence. The Parliamentary Bill (197/89) in accordance with which the Act was passed provides that exportation of defence materials is not permitted to areas in war or to areas where there is a threat of war or armed conflict or to countries where serious violations of human rights occur.

- Decree of 27 September 1933 on firearms and ammunition (34/33). The Decree provides that export of firearms or ammunition without permission is forbidden. Permission for the exportation of firearms and ammunition is ultimately decided upon by the State Council.

This legislation fully implements the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia as required in resolution 713 (1991). However, to make an explicit reference to the current crisis, it was decided by the Finnish Government to issue yet another Decree - Decree of 30 December 1991 on the Enforcement of Obligations arising from the Resolution on Yugoslavia adopted by the Security Council of the United Nations - to supplement the embargo (see annex).

Annex

Decree on the Enforcement of Obligations arising from the Resolution on Yugoslavia adopted by the Security Council of the United Nations

Issued at Helsinki on 30 December 1991

Upon presentation by the Minister for Foreign Affairs the following is enacted by virtue of articles 1 and 5 of the Act (659/67) of 29 December 1967 on the Enforcement of Certain Obligations of Finland as a Member of the United Nations

1 §

In order to enforce the obligations of Finland arising from resolution 713 (1991) adopted by the Security Council of the United Nations, all deliveries of weapons and military equipment to Yugoslavia are forbidden.

2 §

The provisions of article 1 shall also apply to contracts or other commitments entered into prior to the date of entry into force of this Decree.

3 §

Regarding violations of this Decree or directives issued by virtue thereof, article 4 of the Act on the Enforcement of Certain Obligations on Finland as a Member of the United Nations shall apply.

4 §

The State Council shall, if necessary, issue more detailed directives on the application of this Decree.

5 §

This Decree will enter into force on 1 January 1992.

President of the Republic
Mauno Koivisto

Minister for Foreign Affairs
Paavo Väyrynen

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23378
6 January 1992

ORIGINAL: ENGLISH

LETTER DATED 3 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, and with reference to your note verbale No. SCPC/8/91/1, regarding the measures instituted by Bulgaria to meet its obligations pursuant to Security Council resolution 713 (1991), I have the honour to transmit herewith the response of the Government of the Republic of Bulgaria dated 3 January of this year. Your assistance will be highly appreciated in having this text circulated as a document of the Security Council.

(Signed) Svetlomir BAEV
Ambassador
Permanent Representative

Annex

Response of the Government of the Republic of Bulgaria to note verbale No. SCPC/8/91/1 of the Secretary-General regarding the measures instituted by Bulgaria pursuant to Security Council resolution 713 (1991)

The Government of the Republic of Bulgaria, pursuant to the requirements of paragraph 5 (a) of Security Council resolution 724 (1991) dated 16 December 1991, and with reference to note verbale SCPC/8/91/1 of the Secretary-General, has the honour to communicate the following:

In a statement on 14 September 1991, the President of the Republic of Bulgaria, Dr. Zhelyu Zhelev, described developments in Yugoslavia as alarming, and declared the non-interference in Yugoslavia's internal affairs and the determination of Bulgaria not to take advantage of that country's difficulties to be the underlying principles of the Bulgarian foreign policy regarding the war in Yugoslavia.

In a declaration circulated as document A/46/531, the Bulgarian Government expressed its concern about the continuing escalation of the meaningless bloody conflict in Yugoslavia, and stated that it considers the use of military force in dealing with issues of dispute as utterly unacceptable.

The Bulgarian Government appreciates the measures instituted by the Security Council aimed towards a peaceful settlement of the conflict in Yugoslavia, notably the general and complete embargo on all deliveries of weapons and military equipment to that country imposed by Security Council resolution 713 (1991), dated 25 September 1991, as unquestionably appropriate, and is fully supportive of them.

The Bulgarian Government shares the deep concern about the fighting in Yugoslavia and the serious violations of the cease-fire agreements, as well as the view that the continuation of this situation constitutes a threat to international peace and security, as expressed in Security Council resolution 721 (1991) dated 27 November 1991.

It should be noted that the Council of Ministers of the Republic of Bulgaria had imposed an embargo on the deliveries of weapons, ammunition and military equipment to the Socialist Federal Republic of Yugoslavia by force of Government Ordinance No. 16 dated 24 July 1991. This embargo fully meets the requirements of paragraph 6 of Security Council resolution 713 (1991), the adoption of which it preceded by two months.

This measure instituted by the Bulgarian Government is another example of its strict adherence to the underlying principles of Bulgaria's foreign policy regarding the crisis in Yugoslavia, as set out by the Bulgarian President, and a positive evidence of Bulgaria's desire to assist in seeking a settlement to the conflict in Yugoslavia by peaceful means.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23379
6 January 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 3 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF PERU TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to Note S-SPC/8/91 (1), concerning the resolutions adopted by the Security Council on the situation in Yugoslavia.

In this regard, I wish to inform you that Peru, faithful to the principle of respect for international obligations and adhering to the provisions of the Security Council resolution concerning the situation in Yugoslavia, will undertake the measures provided for therein and, in particular, the obligations set forth in paragraph 6 of resolution 713 (1991) to impose a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia.

I should be grateful if you would have this communication distributed as a document of the Security Council.

(Signed) Ricardo V. LUNA
Ambassador
Permanent Representative of Peru
to the United Nations

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23380
6 January 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 6 JANUARY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF MEXICO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the text of the press release issued by the Government of Mexico on 31 December 1991 concerning the agreements reached between the Government of El Salvador and the General Command of the Frente Farabundo Martí para la Liberación Nacional (FMLN), through the mediation of the Secretary-General of the United Nations, reflected in the "New York Act", signed at midnight on 31 December.

(Signed) Antonio VILLEGAS
Ambassador
Alternate Permanent Representative
of Mexico to the United Nations
Chargé d'affaires a.i.

Annex

PRESS RELEASE

The Government of Mexico expresses its deep satisfaction at the important agreements arrived at in the direct negotiations between the Government of El Salvador and the General Command of the Frente Farabundo Martí para la Liberación Nacional (FMLN), through the mediation of the, until that moment, Secretary-General of the United Nations, the distinguished Peruvian diplomat Javier Pérez de Cuéllar, who, on the last day of December, laid down his office following a brilliant 10-year course as Secretary-General of the United Nations.

The New York Act, which was signed at midnight on 31 December, constitutes a solid basis for achieving the much-desired peace and reconciliation in El Salvador through dialogue and negotiation between the parties to the conflict.

For Mexico, it has been particularly satisfying to have been able to make a material contribution to that process, not only by providing facilities so that 12 of the most crucial meetings could be held in its territory, but also through the conciliation effort of the so-called "Group of Friends of the Secretary-General of the United Nations", composed, in addition to Mexico, of Colombia, Spain and Venezuela, which was undoubtedly a factor in the promotion of understanding and reconciliation between the parties to the conflict, as well as between the countries with special interests in Central America.

The agreements reached in New York are not only the final conclusion of a process of pacification in Central America but also the consolidation of an important stage of international support for the efforts of the countries directly concerned with the creation of an integrated area, in economic terms, where social justice prevails in a framework of peace and national reconciliation.

The Government of Mexico congratulates the Salvadorian people on this great step that has been made towards its definitive reconciliation and expresses its gratitude to President Alfredo Cristiani and the FMLN Command for having managed to overcome the enormous obstacles involved in negotiations of this kind.

The people and Government of Mexico express their wishes for the punctual and effective implementation of the agreements.

The Government of Mexico considers it a great honour and an expression of gratitude for the peace-oriented vocation of the Mexican people that, in the New York Act, the Government of El Salvador and FMLN have resolved that the final agreements will be signed on 16 January 1992 in Mexico City.

UNITED NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/46/839
S/23381
7 January 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-seventh year

Letter dated 6 January 1992 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of a statement of the European Community and its member States on the deportation of 12 Palestinians from the occupied territories, issued on 4 January 1992 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the forty-sixth session of the General Assembly, under agenda item 35 and of the Security Council.

(Signed) Fernando REINO
Ambassador
Permanent Representative of
Portugal to the United Nations

ANNEX

Statement on the deportation of 12 Palestinians from the occupied territories issued by the European Community and its member States on 4 January 1992

The Community and its member States express their grave concern following the recent decision by the Israeli Government to deport 12 Palestinians from the occupied territories, an illegal decision with regard to international law, in particular the Fourth Geneva Convention.

The Community and its member States strongly reiterate their demand for Israel to fully meet with its obligations towards the residents of the occupied territories and to abide by the provisions of the Fourth Geneva Convention. They condemn violence from whatever quarters it may come and call upon the parties concerned to refrain from taking any measures which would risk to jeopardize the peace process.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23382
7 January 1992

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, and 724 (1991) of 15 December 1991,

Noting the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) submitted pursuant to resolution 721 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and noting the continuing role that the European Community will play in achieving a peaceful solution in Yugoslavia,

Deploring the tragic incident on 7 January 1992 which caused the death of five members of the European Community Monitoring Mission,

1. Approves the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) and expresses its appreciation to the Secretary-General for it;

2. Welcomes the signing, under the auspices of the Secretary-General's Personal Envoy, of an Implementing Accord at Sarajevo on 2 January 1992 concerning modalities for implementing the unconditional cease-fire agreed to by the parties at Geneva on 23 November 1991;

3. Endorses the Secretary-General's intention as a follow-up to his Personal Envoy's latest mission to send immediately to Yugoslavia a group of up to 50 military liaison officers to promote maintenance of the cease-fire; in this connection, takes note in particular of the views expressed in paragraphs 24, 25, 28, 29 and 30 of the Secretary-General's report and the criteria reflected in paragraphs 3 and 4 of resolution 724 (1991);

4. Urges all parties to honour the commitments made at Geneva and Sarajevo with a view to effecting a complete cessation of hostilities;

5. Requests all the parties to take all the necessary measures to ensure the safety of the personnel sent by the United Nations and of the members of the European Community Monitoring Mission;

6. Reaffirms the embargo applied in paragraph 6 of resolution 713 (1991) and in paragraph 5 of resolution 724 (1991), and decides that the embargo applies in accordance with paragraph 33 of the Secretary-General's report (S/23363);

7. Encourages the Secretary-General to pursue his humanitarian efforts in Yugoslavia;

8. Decides to remain actively seized of the matter until a peaceful solution is achieved.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23383
7 January 1992

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 668 (1990) of 20 September 1990, 717 (1991) of 16 October 1991 and 718 (1991) of 31 October 1991,

Welcoming the fact that the United Nations Advance Mission in Cambodia (UNAMIC) has become operational as reported by the Secretary-General in his report of 14 November 1991 (S/23218),

Welcoming also the progress that has been made in implementing the provisions of the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict (S/23177, annex) relating to the functioning of the Supreme National Council of Cambodia under the chairmanship of His Royal Highness Samdech Norodom Sihanouk and the maintenance of the cease-fire,

Concerned that the existence of mines and minefields in Cambodia poses a serious hazard to the safety of people in Cambodia, as well as an obstacle to the smooth and timely implementation of the Agreements on the Comprehensive Political Settlement, including the early return of Cambodian refugees and displaced persons,

Noting that UNAMIC's mandate as approved by the Security Council in its resolution 717 (1991) provides, inter alia, for the establishment of a mine awareness programme, and that the Agreements provide for the United Nations Transitional Authority in Cambodia (UNTAC) to undertake, inter alia, a programme of assisting with clearing mines and undertaking training programmes in mine clearance and a mine awareness programme among the Cambodian people,

Considering that the establishment of training programmes in mine clearance, in addition to the existing mine awareness programme undertaken by UNAMIC, and the early initiation of mine clearance are required for the effective implementation of the Agreements on the Comprehensive Settlement,

Having considered the report of the Secretary-General proposing that the mandate of UNAMIC be expanded to include training in mine clearance and the initiation of a mine clearance programme (S/23331 and Add.1),

1. Approves the report of the Secretary-General (S/23331 and Add.1), especially the provision of assistance in mine clearing by Cambodians;

2. Calls upon the Supreme National Council of Cambodia, and all the Cambodian parties, to continue to cooperate fully with the United Nations Advance Mission in Cambodia, including in the discharge of its expanded mandate;

3. Reiterates its call to all the Cambodian parties to comply scrupulously with the cease-fire and to lend all necessary assistance to UNAMIC;

4. Requests the Secretary-General to keep the Security Council informed of further developments.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23384
7 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 6 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Ireland to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's Note SCPC/8/91, dated 16 December 1991, has the honour to convey the following information to the Secretary-General in relation to the measures undertaken by Ireland to implement Security Council resolutions 713 (1991) and 724 (1991):

Since 5 July 1991, Ireland has implemented an embargo on exports of armaments and military equipment to the whole of Yugoslavia in accordance with the decision of the same date of the European Community and its member States. In consequence, no export licences have been issued since 5 July 1991 for the export or re-export to Yugoslavia of any item which might contravene this embargo.

92-00840 3565a (E)

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23385
7 January 1992

ORIGINAL: ENGLISH

LETTER DATED 3 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF ROMANIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Following my letter dated 21 November 1991 on the implementation by Romania of Security Council resolution 713 (1991) concerning the embargo on deliveries of weapons and military equipment to Yugoslavia, I have the honour to transmit the following additional information on the implementation of Security Council resolutions 713 (1991) and 724 (1991):

Immediately after the adoption of Security Council resolution 713 of 25 September 1991 the Romanian competent authorities took measures to ensure the strict respect by organs of State, public institutions, individuals and legal entities of Romanian nationality, as well as by individuals or legal entities of any other nationality having their headquarters on Romanian territory, of the embargo established by the Security Council on deliveries of weapons and military equipment to Yugoslavia.

A Commission of the Ministry of National Defence has been established to advise on foreign trade operations and it has the mandate not to give export licences without a clear documentation on the final destination of respective deliveries.

The measures adopted by Romania in order to ensure the strict respect of the obligations deriving from the resolutions of the Security Council have been completed and strengthened by Decision No. 765 of 8 November 1991 of the Government of Romania. The text of the Decision was circulated as an official document of the Security Council under the symbol S/23238 of 22 November 1991.

I should be grateful if you would have the present communication circulated as a document of the Security Council.

(Signed) Aurel Dragos MUNTEANU
Ambassador
Permanent Representative

92-00846 2871g (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23386
7 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 6 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF NEW ZEALAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of New Zealand to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his Note SCPC/8/91(1) of 16 December 1991 and to paragraph 5 of Security Council resolution 724 (adopted on 15 December) requesting all States to report to the Secretary-General within 20 days on the measures they have instituted for meeting the obligations set out in paragraph 6 of resolution 713 (1991) to implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia.

New Zealand maintains controls on the export of military items by which it was able to ensure that such items were not exported from New Zealand to Yugoslavia. Regulations were, however, also enacted to implement the embargo in terms and to apply it as comprehensively as possible. These regulations prohibit New Zelanders overseas from becoming involved in the sale or delivery of weapons or military equipment to Yugoslavia and prohibit the carriage of such items on New Zealand ships or aircraft. A copy of the regulations is attached.*

The regulations have been brought to the attention of the relevant New Zealand authorities and have been given appropriate publicity including through Ministerial Press Statements.

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* Copy of the regulations may be consulted in Room S-3520.

92-00852 2746c (E)

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23387
7 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 7 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF SINGAPORE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Singapore to the United Nations presents his compliments to the Secretary-General of the United Nations, and in compliance with United Nations Security Council resolution 713 (1991) of 25 September 1991 on Yugoslavia, has the honour to inform the Secretary-General that the Republic of Singapore has taken the necessary administrative measures to enforce the provisions of existing legislation to implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia with effect from 1 October 1991. The legislation in question are the Arms and Explosives Act, which prohibits, inter alia, the export of all weapons/arms without the approval of the Government and the Import Certificate and Delivery Verification Order (ICDV) which covers, inter alia, the re-export of items which have both military and civilian use.

The embargo will remain in force until the Security Council decides otherwise. A Press Statement issued by the Ministry of Foreign Affairs of Singapore on 1 October 1991 announcing the Government's decision to implement the embargo, which was circulated as Security Council document S/23113 on 4 October 1991, is attached.

Annex

Ministry of Foreign Affairs Press Statement dated 1 October 1991

Singapore's implementation of United Nations Security Council resolution 713 (1991)

In compliance with the United Nations Security Council (UNSC) resolution 713 (1991) on Yugoslavia, the Singapore Government has implemented a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia with immediate effect. The embargo will remain in force until the Security Council decides otherwise following consultation between the Secretary-General of the United Nations and the Government of Yugoslavia.

The Singapore Government hopes that the implementation of United Nations Security Council resolution 713 (1991) will contribute to ending the violence and bloodshed in Yugoslavia.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23388
7 January 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 7 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Belgium to the United Nations presents his compliments to the Secretary-General and, with reference to the Secretary-General's note SC7C/8/91 of 16 December 1991, has the honour to inform him of the measures taken by Belgium in implementation of Security Council resolution 713 (1991) and 724 (1991).

At the bilateral level, Belgium suspended, as of 2 July 1991, the execution of already authorized exports of weapons, munitions and military equipment to Yugoslavia. As of that date, Belgium has applied a general embargo on all deliveries of weapons, munitions and military equipment to Yugoslavia, which means that any new request submitted for the export or transit of such matériel to that country is refused by the Belgian authorities.

Belgian laws and regulations are fully in conformity with the obligations set forth in Security Council resolution 713 (1991) and 724 (1991) and with previous decisions of the Council having mandatory force. The export of weapons and military matériel is subject to the provisions of the Law of 11 September 1962 concerning the import, export and transit of goods and of the Royal Order of Enforcement of 24 October 1962.

An embargo on weapons and military matériel was also decreed by the States members of the European Community on 5 July 1991. This decision was accompanied by an appeal to third countries to adopt a similar attitude of total restraint. In order to strengthen this general appeal, the Presidency of the European Community has officially approached the competent authorities in each of the 35 countries of the Conference on Security and Cooperation in Europe (CSCE) and in all other countries that might be regarded as potential suppliers.

In this regard, the Permanent Representative of Belgium has the honour to refer to note verbale S/23359 of 3 January 1992 from the Permanent Representative of Portugal concerning the implementation by States members of the European Community of an embargo on weapons for Yugoslavia.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23389
7 January 1992

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations of the Security Council, the President made the following statement on behalf of the members of the Council, at its 3027th meeting on 7 January 1992, in connection with the Council's consideration of the item entitled "Oral report of the Secretary-General pursuant to his report of 5 January 1992 (S/23363)":

"The Members of the Security Council discussed on 7 January the tragic incident that occurred in Yugoslavia earlier in the day, in which helicopters of the European Community Monitoring Mission in Yugoslavia were shot down by a Yugoslav aircraft, killing four Italian members and one French member of the Monitoring Mission.

"The Members of the Council condemned this callous attack on unarmed civilian personnel. They extended their most sincere condolences to the families of those who had lost their lives. They noted that the Yugoslav authorities had accepted responsibility for this flagrant breach of the cease-fire, had said that they would take the necessary disciplinary action against those responsible, and had reiterated their commitment to observe the cease-fire fully. The Members of the Council called on the Yugoslav authorities to take all steps necessary to ensure that this act does not go unpunished and that such incidents do not occur again.

"The Members of the Council reiterated their urgent call on all parties to the conflict in Yugoslavia to respect their cease-fire commitments. They underlined the continuing importance of the role played by the EC Monitoring Mission, as emphasized in the Secretary-General's report of 5 January (S/23363). They expressed their deep appreciation for the work done by members of the Mission and they called on the Yugoslav parties to ensure that members of the Mission and UN personnel be allowed to fulfil their role with the full cooperation of all sides."

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23390
8 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 30 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF CAMEROON TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Cameroon to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to inform him, in reply to his note No. SCPC/8/91(1) of 16 December 1991, that the Cameroonian Government is observing the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia and is abiding by the provisions of Security Council resolutions 713 (1991) and 724 (1991).

92-00904 2972e (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23391
8 January 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 7 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of France to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his note verbale SCPC/8/91 (1) of 16 December 1991, in which he asked the French authorities for information on the measures taken by them under paragraph 6 of Security Council resolution 713 (1991) dated 25 September 1991.

At the national level, France has, since July, imposed an embargo on weapons intended for Yugoslavia. This decision has resulted in the suspension of all previously granted export licences until further notice and the halting of any new issuance of export or transit authorizations.

Furthermore, with respect to materials regarded as war matériel by French regulations, the operations of canvassing the Yugoslav market, submitting bids and negotiating and signing contracts are prohibited for French enterprises.

The authorizations granted in the past, at each of the stages, by the French Government have also been suspended until further notice. An embargo on weapons and military matériel was also decreed by the States members of the European Community on 5 July 1991. That decision was accompanied by an appeal to third countries to adopt a similar attitude of total restraint. In that spirit, the presidency, on behalf of the States members of the Community, has approached 35 States members of CSCE, as well as other States that are potential producers or suppliers of armament materials.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23392
8 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 7 JANUARY 1992 FROM THE CHARGE D'AFFAIRES OF THE PERMANENT MISSION OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires of Italy to the United Nations presents his compliments to the Secretary-General of the United Nations and in response to the latter's note verbale No. SCPC/8/91 (1) of 16 December 1991, has the honour to communicate the following:

Through the decision of its Ministerial Council of 5 July 1991, the European Community imposed a total embargo on exports of arms and military equipment to Yugoslavia.

This embargo has become legally binding for Italy, according to Law No. 185/90 and to a ministerial decision of 3 August 1990.

Equally, the embargo decided by the Security Council on 25 September 1991 was automatically applied by Italy in pursuance of said Law No. 185/90.

Accordingly, it is prohibited to export all kinds of war armaments, described in a list of equipments, published according to a decree of the Ministry of Defence of 9 October 1991.

Moreover, all Italian exports of military equipments to Yugoslavia had ceased as early as October 1990, because the Italian Ministry of Foreign Affairs, in view of the tensions already mounting in the country, had banned them in pursuance of Article 2 of Law No. 185/90 mentioned above.

From that date onwards, the Italian embargo against Yugoslavia has been equally applied to arms exports that had been previously agreed upon, and negotiations for future arms exports have been banned; it is furthermore prohibited to send spare parts, to repair armaments, and to transfer any kind of military technology.

92-00965 2860f (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23393
8 January 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 4 JANUARY 1992 FROM THE PERMANENT MISSION OF TUNISIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Tunisia presents its compliments to the Secretary-General of the United Nations and, with reference to his note verbale No. SCPS/8/91(1) concerning resolution 724 (1991) adopted by the Security Council at its 3023rd meeting on 15 December 1991, has the honour to inform him that Tunisia will comply with the provisions of resolution 724 (1991) and with the measures specified in paragraph 6 of resolution 713 (1991), in order to encourage the establishment of peace and security in Yugoslavia, a country with which Tunisia maintains the most cordial relations.

The Permanent Mission of Tunisia requests the Secretary-General of the United Nations to circulate this reply as a document of the Security Council.

92-00974 2974e (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23394
8 January 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 8 JANUARY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SAUDI ARABIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I am pleased to refer to letter S/23269 dated 4 December 1991 addressed to you by the Permanent Representative of the Permanent Mission of Iraq to the United Nations for the purpose of informing you, on instructions from my Government, that, upon an inquiry by the competent authority into the matter mentioned, it became clear that the patrol at the Maqar al-Na'am post belonging to the border force sector at Judayyidah in the northern region seized both Mr. Ibrahim Muhammad Sulayman and Mr. Aqil Kazim Sa'd, of Iraqi nationality, who were driving a tanker truck, after they had gone 4 kilometres over the border. A Kalashnikov automatic machine-gun was found in their possession. They were returned by way of the above-mentioned post with their truck and the machine-gun on 1 December 1991.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mustafa M. H KAWTHAR
Chargé d'affaires a.i.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23395
8 January 1992

ORIGINAL: ENGLISH

LETTER DATED 8 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the text, in English and French of a statement of the European Community and its member States on the death of five members of the monitor mission to Yugoslavia, issued in Lisbon on 7 January 1992 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Fernando REINO
Ambassador
Permanent Representative of
Portugal to the United Nations

Annex

Statement on the death of five members of the European Community monitor mission to Yugoslavia

[Original: English and French]

The European Community and its member States are appalled and

Dismayed by the tragic events that occurred today and which have caused the death of five members of the monitor mission to Yugoslavia.

The Community and its member States urgently call for a thorough investigation of the circumstances which have led to this grave incident in order to determine responsibilities to the fullest extent.

To this end, the head of the monitor mission has been instructed to organize immediately a tripartite commission of inquiry.

The presidency's representative in Belgrade has also received instructions to meet, in a troika format, the local authorities with a view to securing their complete cooperation with the above-mentioned investigation.

The Community and its member States solemnly recall the commitments accepted by all parties involved in the present crisis to ensure the security of all members of the monitor mission, and strongly urge them to abstain from any act which might jeopardize the present cease-fire which must be seen as the key element in the search for a peaceful and negotiated solution.

The Community and its member States express their deepest sympathy and solidarity to the relatives of the victims and pay tribute to the courage displayed by all members of the monitor mission which has been so severely tested since the beginning of its activities.

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/46/841
S/23396
9 January 1992
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-sixth session
Agenda items 69 and 125
PROTECTION AND SECURITY OF SMALL STATES
MEASURES TO PREVENT INTERNATIONAL TERRORISM
WHICH ENDANGERS OR TAKES INNOCENT HUMAN
LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS
AND STUDY OF THE UNDERLYING CAUSES OF THOSE
FORMS OF TERRORISM AND ACTS OF VIOLENCE
WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE
AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO
SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN,
IN AN ATTEMPT TO EFFECT RADICAL CHANGES
(a) REPORT OF THE SECRETARY-GENERAL
(b) CONVENING, UNDER THE AUSPICES OF THE
UNITED NATIONS, OF AN INTERNATIONAL
CONFERENCE TO DEFINE TERRORISM AND TO
DIFFERENTIATE IT FROM THE STRUGGLE OF
PEOPLES FOR NATIONAL LIBERATION

SECURITY COUNCIL
Forty-seventh year

Letter dated 8 January 1992 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a letter addressed to you by Mr. Ibrahim M. Bishari, Secretary of the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 69 and 125, and of the Security Council.

(Signed) Ali Ahmed ELHOUDEIRI
Permanent Representative

ANNEX

The People's Committee of the People's Bureau for Foreign Liaison and International Cooperation has taken note of the statements issued on 20 December 1991 and circulated as documents of the General Assembly and the Security Council at the request of the permanent representatives of France, the United Kingdom and the United States of America. Having studied these statements, it is evident to us that they are merely a repetition of the allegations and accusations made against my country that we have already denied categorically and with regard to which we have repeatedly urged that any material and tangible evidence that might confirm them should be produced. In this context, my country would like to reaffirm its condemnation of terrorism in all its forms, inasmuch as it has been its prime victim. Perhaps the international community still recalls the deliberate downing of a Libyan civil aircraft over Sinai in 1973. Perhaps it also still recalls the United States military attack on peaceable Libyan cities in 1986, in which there were hundreds of innocent civilian victims, on the pretext that Libya was responsible for the bombing of a Berlin nightclub. It was subsequently made public that Libya was innocent of any involvement in that incident, but the United States expressed no regret and did not provide the compensation endorsed by the General Assembly of the United Nations and by other international and regional organizations.

It is our fear that this campaign to mar my country's good repute and deceive world public opinion is merely a preliminary to renewed aggression against Libya. If it is merely a matter of inquiring into the two incidents in which the United States and French passenger aircraft were drowned, then my country has already expressed its readiness to cooperate with the parties concerned. It entrusted two judges with the task of conducting an inquiry and gathering information, and they have already embarked on that inquiry. With regard to those against whom charges have been made, they have taken all the measures that accord with the Libyan Code of Criminal Procedure promulgated in 1953, including contact with the competent judicial authorities in the three countries in question, which have, however, refused to respond to the judges' request. If, on the other hand, it is simply a question of a difference of legal opinion regarding the authority that has jurisdiction in the inquiry, then we do not believe that the language of threats and menaces that has been used by the three countries in their statements is called for. International law on the question is clear and explicit, and it shows that the Libyan judicial authorities are those that have jurisdiction, and this involves no great difficulty.

Despite the foregoing, aware as we are of the international dimensions and ramifications of the incidents invoked and of the large number of countries that are concerned parties and despite the fact that we are fully persuaded of the impartiality and fairness of the administration of justice in

Libya, we have nevertheless, in a desire to convince the other parties of our good faith, offered our acceptance in principle of a fair and impartial international inquiry into the matter or of recourse to the International Court of Justice, the major judicial instrument of the United Nations, for a decision on the question of conflicting jurisdictions. It is a source of regret that the three countries have rejected all of these offers. When they came together on the position they have adopted, they resorted to politicizing the issue by submitting it to the Security Council. We, however, affirm that submission of the matter to the Security Council has no basis either in the Charter of the United Nations or in international law, which does not stipulate that the Security Council has the power to consider judicial cases involving individuals.

If it is a matter of political differences between the three countries and Libya, then the differences must be discussed on the basis of the Charter of the United Nations, which does not endorse aggression or the threat of aggression but rather calls for the resolution of differences by peaceful means. Libya has expressed its readiness to pursue any peaceful means that the three countries may desire for the resolution of existing differences. We should like, through you, to offer the following:

1. To enter into dialogue with the three countries, either directly or through the United Nations, with a view to resolving any political dispute between us and the parties concerned.

2. To invite the parties, if it is maintained that a legal conflict exists, to reach agreement on its resolution through international judicial authorities, including the International Court of Justice and in accordance with its Statute.

3. To urge the three countries to provide the Libyan judges entrusted with the investigation into these two regrettable incidents with an official copy of the records of the investigation, concerning which they have already submitted requests to the authorities concerned in those countries.

My country is a victim of international terrorism and of terrorist groups, since the United States is training and arming terrorists for the purpose of murdering innocent civilians. It is maintaining terrorist camps and compelling Libyan army prisoners to work against their people and, from practitioners of an honourable military calling, it is converting them into terrorists.

Libya has affirmed and now reaffirms a position of principle that is fully committed to the provisions of the Charter of the United Nations relating to the settlement of disputes between States. Libya has expressed its complete readiness to cooperate with all parties to the present dispute for the resolution of that dispute by peaceful means, as explicitly required by Chapter VI, Article 33, of the Charter of the United Nations.

Ibrahim M. BISHARI
Secretary of the People's Committee of the
People's Bureau for Foreign Liaison and
International Cooperation

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23397
9 January 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 8 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF THE NETHERLANDS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Kingdom of the Netherlands to the United Nations, with reference to the Secretary-General's note of 16 December 1991 has the honour to communicate the measures taken by the Netherlands authorities to implement Security Council resolutions 713 (1991) and 724 (1991).

In compliance with the decision of the member States of the European Community of 5 July 1991, the Netherlands authorities have refused any licences for the export of armaments or military equipment (including spare parts, repairs and the transfer of military technology) to Yugoslavia after 5 July 1991. Current licences were revoked. To formalize this retroactively, the Government promulgated, in accordance with the Netherlands Import and Export Act of 1962, Decree No. WJA/JZ 91074423.

The Netherlands even before 5 July 1991 was already exercising particular restraint in assessing requests for export licences for arms to Yugoslavia, in view of the developments in that country. Such export licences had therefore been denied for a considerable time prior to 5 July 1991.

UNITED NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/47/68
S/23398
9 January 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-seventh session
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-seventh year

Letter dated 8 January 1992 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of a statement of the European Community and its member States on the death of five members of the Monitor Mission to Yugoslavia, issued at Lisbon, on 7 January 1992 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the forty-seventh session of the General Assembly under the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security".

(Signed) Fernando REINO
Ambassador
Permanent Representative of Portugal
to the United Nations

ANNEX

Statement on the death of five members of the Monitor Mission to Yugoslavia of the European Community, issued at Lisbon on 7 January 1992 by the European Community and its States members

The European Community and its member States are apalled and dismayed by the tragic events that occurred today and which have caused the death of five members of the Monitor Mission to Yugoslavia.

The Community and its member States urgently call for a thorough investigation of the circumstances which have led to this grave incident, in order to determine responsibilities to the fullest extent.

To this end, the Head of the Monitor Mission has been instructed to organize immediately a tripartite commission of inquiry.

The Presidency's Representative in Belgrade has also received instructions to meet, in a troika format, the local authorities with a view to securing their complete cooperation with the above-mentioned investigation.

The Community and its member States solemnly recall the commitments accepted by all parties involved in the present crisis to ensure the security of all members of the Monitor Mission, and strongly urge them to abstain from any act which might jeopardize the present cease-fire, which must be seen as the key element in the search for a peaceful and negotiated solution.

The Community and its member States express their deepest sympathy and solidarity to the relatives of the victims and pay tribute to the courage displayed by all members of the Monitor Mission which has been so severely tested since the beginning of its activities.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23399
9 January 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 JANUARY 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF KUWAIT TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government and in reply to the dangerous sophistries that have filled the letters of the Iraqi Chargé d'affaires a.i., including document S/23342 dated 31 December 1991 and document S/23352 dated 3 January 1992, I wish to inform you as follows:

I. With regard to the Iraqi regime's continued detention of Kuwaiti citizens and nationals of third countries, the Iraqi letter S/23352 tries to give the impression that Iraq is complying with Security Council resolutions, that it is cooperating with the International Committee of the Red Cross (ICRC) and that it has approved what was discussed at the sixth meeting of representatives of the delegations of the coalition States and Iraq under the auspices of ICRC, held on 16 and 17 October 1991. The fact is that Iraq did not at the appropriate time comply with the provisions of paragraphs 2 (c) and 3 (c) of resolution 686 (1991) and paragraph 30 of resolution 687 (1991). Iraq's failure to comply with these provisions and to cooperate with ICRC were what gave rise to the convening of the Geneva meeting. In this regard, I wish to state the following:

1. The Geneva meeting adopted the lists submitted by the State of Kuwait and the Kingdom of Saudi Arabia giving the names of prisoners and detainees as the basis for discussion. Accordingly, Iraq's attempt to mislead, deceive and delay matters by referring to lists of names that were not on the Kuwaiti or Saudi Arabian lists is a clear and blatant violation of what was agreed on at the Geneva meeting.

2. The minutes of the Geneva meeting stated that Iraq was to disseminate the names contained in the Kuwaiti and Saudi Arabian lists in the press and other media repeatedly, not just once in one newspaper, as Iraq recalls.

3. The minutes of the Geneva meeting contain the principles and procedures being followed by ICRC with regard to visits to prisons and places of detention. These principles include the following: that ICRC representatives should have the right of unrestricted access to all places of detention

regardless of type or specifications and whether military or civilian; that they should have freedom to talk with detainees and prison staff for an unrestricted period and without the presence of third parties; and that they have the right to repeat visits without prior notice.

4. Iraq expressed its reservation to these principles at the meeting and then attached conditions to them that are contained in the letter addressed to ICRC dated 11 November 1991. Those are the first four points listed in paragraph 1 (c) of document S/23352. Following the visit of the Delegate-General of ICRC to Iraq from 7 to 10 December 1991, Iraq addressed a letter dated 17 December 1991 to ICRC, requesting it to prepare a complete plan on ways and procedures for discussion of missing Kuwaiti, Saudi Arabian and other missing persons. It is clear that Iraq is not only procrastinating about approving the principles but is distorting the facts and will continue to hinder international efforts to resolve this important humanitarian problem.

5. Iraq's request for reciprocity conflicts with its obligations under the Geneva Convention of 1949 which provides that these obligations are binding upon the States parties to the Convention and do not entail reciprocity. In any event, Kuwait and the States of the coalition are strictly implementing their obligations under the Geneva Convention of 1949 and are cooperating with ICRC, as is testified by the minutes of the Geneva meeting. This includes Kuwait's implementation of the principles and procedures followed by ICRC with regard to its visits to places of detention and prison.

II. With regard to Kuwaiti police posts, which are enumerated in the letter from the Iraqi Chargé d'affaires a.i. contained in document S/23342, I wish to state the following:

1. Kuwait accepted the proposal of the Command of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) to establish a "reasonable distance" extending 100 metres on either side of the frontier line shown on the UNIKOM map in order to avoid friction and incidents on the condition of Iraq's acceptance of the proposal. However, Iraq rejected this proposal.

2. Kuwait has to date established 12 police posts in its territory, following coordination with the UNIKOM Command. In this regard, reference may be made to paragraph 24 of the report of the Secretary-General contained in document S/23106.

3. As a result of this coordination, the posts observe the principle of "reasonable distance" that was proposed by UNIKOM, except for the Abdali post.

4. Iraq has not only rejected the principle of "reasonable distance" but insists on maintaining five police posts inside Kuwaiti territory and two very close to the frontier line shown on the UNIKOM map. Iraq also refuses to remove these seven posts, in spite of UNIKOM efforts. In this regard, reference may be made to paragraph 23 of the Secretary-General's report contained in document S/23106.

To sum up, Iraq rejects the UNIKOM proposal on "reasonable distance" - whereas Kuwait accepts it - and establishes police posts in the demilitarized zone on both sides of the frontier line, including the Kuwaiti side. Then it proceeds to accuse Kuwait of creating foci of tension and friction by establishing police posts that are all inside Kuwaiti territory and under Kuwait's responsibility for the maintenance of security and coordination with UNIKOM.

III. With regard to the return of all Kuwaiti property seized by Iraq and Iraq's practices in the Border Demarcation Commission, our letter contained in document S/23261 dated 3 December 1991 clarifies this matter, and no further comment is needed.

The Security Council resolutions concerning the situation between Iraq and Kuwait, in particular resolutions 686 (1991) and 687 (1991) lay down just and sound bases for security and stability in the region, but the character of the Iraqi regime, its failure to desist from policies of aggression and its failure to commit itself to the peaceful and immediate implementation of the international will is a stumbling block obstructing the aspirations of the peoples of the region to live in peace and prosperity.

I should be grateful if you would have this letter circulated as an official document of the Security Council.

(Signed) Mohammad Saad AL SALLAL

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23399/Corr.1
10 January 1992

CHINESE, ENGLISH,
FRENCH, RUSSIAN
AND SPANISH ONLY

LETTER DATED 9 JANUARY 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Corrigendum

Page 2, section II, paragraph 1, third line

For 100 metres read 1,000 metres

92-01333 3003d (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23400
10 January 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 9 JANUARY 1992 FROM THE PERMANENT MISSION OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Kingdom of Morocco to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his note verbale SCPC/8/91 (1) dated 16 December 1991, has the honour to inform him that the competent Moroccan authorities have been instructed to ensure that, in accordance with paragraph 6 of Security Council resolution 713 (1991), no weapons or military equipment are delivered to Yugoslavia.

The Permanent Mission of the Kingdom of Morocco wishes to emphasize that, in accordance with the traditional policy of non-interference in the affairs of others, the Government of Morocco has always abstained from delivering weapons or military equipment to anyone.

92-01163 3002d (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/23401
10 January 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 10 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF ECUADOR TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In implementation of Security Council resolution 724 (1991), paragraph 5 (a), and with reference to your note of 16 December 1991, I have the honour to transmit to you a copy of Executive Decree No. 2986, issued on 9 January 1992 by the President of the Republic of Ecuador and approved by the Minister for Foreign Affairs and the Ministers of the Interior and Defence in full implementation of Security Council resolution 713 (1991), which totally prohibits trade in or deliveries of weapons and military equipment from Ecuadorian territory to Yugoslavia by either natural or juridical persons.

(Signed) Abelardo POSSO SERANO
Deputy Permanent Representative

Annex

No. 2986

Rodrigo Borja,
Constitutional President of the Republic

Considering:

That, under Chapter VII of the Charter of the United Nations, and with the goal of establishing peace and security in Yugoslavia, at its 3009th meeting on 25 September 1991 the Security Council adopted resolution 713 (1991), in which it, inter alia, decided that all Member States should immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia until the Security Council decides otherwise following consultation between the Secretary-General and the Government of Yugoslavia,

That the State of Ecuador is a Member of the United Nations and must therefore implement the measures adopted by the Security Council,

That by its resolution 724 (1991) the United Nations Security Council established a special committee, chaired by Ecuador, for the purpose of monitoring the implementation of Council decisions concerning Yugoslavia,

Exercising the powers conferred upon him by article 78 (a) and (f) of the Political Constitution of the Republic,

DECREES that:

1. In implementation of United Nations Security Council resolution 713 (1991), trade in or deliveries of weapons and military equipment from Ecuadorian territory to Yugoslavia by natural or juridical persons shall be totally prohibited;

2. The Minister of the Interior and Police, the Minister for Foreign Affairs and the Minister of Defence shall be responsible for implementation of the present Decree.

DONE, at the National Palace in Quito, on 9 January 1992.

(Signed) Rodrigo BORJA

(Signed) César VERDUGA VELEZ
Minister of the Interior and Police

(Signed) Diego CORDOVEZ
Minister for Foreign Affairs

(Signed) Jorge FELIX MENA
Minister of Defence